

1 PRESTON DUFAUCHARD  
California Corporations Commissioner  
2 MICHAEL PINKERTON  
Deputy Commissioner  
3 ALAN S. WEINGER (CA BAR NO. 86717)  
Lead Corporations Counsel  
4 Department of Corporations  
320 West 4<sup>th</sup> Street, Ste. 750  
5 Los Angeles, California 90013-2344  
Telephone: (213) 576-6205 Fax: (213) 576-7181  
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7 Attorneys for Complainant

8 BEFORE THE DEPARTMENT OF CORPORATIONS  
9 OF THE STATE OF CALIFORNIA  
10

11 In the Matter of the Accusation of THE	)	Case No.: 100-0201, 100-0202, 100-0203
12 CALIFORNIA CORPORATIONS	)	
12 COMMISSIONER,	)	ACCUSATION
13	)	
14 Complainant,	)	
15	)	
15 vs.	)	
16	)	
16 SUN CASH OF SD, LLC	)	
17	)	
17 Respondent.	)	
18	)	
18	)	

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20 The Complainant is informed and believes, and based upon such information and belief,  
21 alleges and charges Respondent as follows:

22 I

23 Respondent Sun Cash of SD, LLC (“Sun Cash”) is a deferred deposit transaction originator  
24 licensed by the California Corporations Commissioner (“Commissioner”) pursuant to the California  
25 Deferred Deposit Transaction Law (California Financial Code § 23000 et seq.) (“CDDTL”). Sun  
26 Cash is licensed as a limited liability company with its principal place of business at 730 H Street,  
27 #2, Chula Vista, CA 91910. Sun Cash has two additional licensed business locations at 2720 E.  
28

1 Plaza Blvd., Suite L, National City, CA 91950 and 5419 El Cajon Blvd., Suite 200, San Diego, CA  
2 92115.

## 3 4 II

5 Pursuant to California Financial Code section 23013, all CDDTL licensees are required to  
6 maintain a surety bond in the minimum amount of \$25,000.00. The surety bond of Sun Cash  
7 expired on January 1, 2009. On or about January 16, 2009, the Commissioner notified Sun Cash  
8 that a replacement surety bond had to be filed immediately, but no later than the expiration date to  
9 avoid suspension or revocation of its CDDTL license. The notification was delivered to Sun Cash  
10 on or about January 20, 2009.

11 Sun Cash has to obtain a replacement surety bond in violation of California Financial Code  
12 section 23013.

## 13 III

14 California Financial Code section 23013 provides in pertinent part:

15 A licensee shall maintain a surety bond in accordance with this subdivision in the  
16 amount of twenty-five thousand dollars (\$25,000). The bond shall be payable to the  
17 commissioner and issued by an insurer authorized to do business in this state. A copy  
18 of the bond, including any and all riders and endorsements executed subsequent to the  
19 effective date of the bond, shall be filed with the commissioner for review and  
20 approval within 10 days of execution. For licensees with multiple licensed locations,  
21 only one surety bond in the amount of twenty-five thousand dollars (\$25,000) is  
22 required. The bond shall be used for the recovery of expenses, fines, and fees levied  
23 by the commissioner in accordance with this division or for losses or damages  
24 incurred by consumers as the result of a licensee's noncompliance with the  
25 requirements of this division.

26 California Financial Code section 23052 provides in pertinent part:

27 The commissioner may suspend or revoke any license, upon notice  
28 and reasonable opportunity to be heard, if the commissioner finds any  
of the following:

(a) The licensee has failed to comply with any demand, ruling, or  
requirement of the commissioner made pursuant to and within the authority  
of this division.

(b) The licensee has violated any provision of this division or any rule or  
regulation made by the commissioner under and within the authority of this

1 division.

2 (c) A fact or condition exists that, if it had existed at the time of the original  
3 application for the license, reasonably would have warranted the commissioner  
4 in refusing to issue the license originally.

5 IV

6 The Commissioner finds that, by reason of the foregoing, Sun Cash has violated California  
7 Financial Code section 23013, and based thereon, grounds exist to revoke the deferred deposit  
8 transaction license of Sun Cash.

9 WHEREFORE, IT IS PRAYED that the deferred deposit transaction license of Sun Cash be  
10 revoked.

11 Dated: February 3, 2009  
12 Los Angeles, California

PRESTON DuFAUCHARD  
California Corporations Commissioner

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14  
15 By \_\_\_\_\_  
16 Steven C. Thompson  
17 Special Administrator  
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